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Serial No. 200

STATE-WAR-NAVY COORDINATING COMMITTEE

SECURITY ADVISORY BOARD

WASHINGTON 25, D. C.

"CIGA-8"

December 24, 1946

MEMORANDUM FOR

25X1A9a

Central Intelligence Group

Subject:

Classification, Declassification and
Downgrading Procedures

Enclosures:

- a. Serial No. 198
- b. Serial No. 196
- c. MI-3

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(NCI)
61-212
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1. Enclosed herewith is a copy of the second draft of a proposed Security Advisory Board policy relative to the procedures to be followed by nonmilitary agencies in the downgrading and declassification of classified material. It is realized by the Security Advisory Board that the Central Intelligence Group cannot be considered as a "nonmilitary agency" and therefore will not be affected by this policy. In view of the interest of the Central Intelligence Group in the protection of "intelligence sources and methods" in federal agencies and departments, however, it is believed that you might be interested in reviewing this regulation. Any comments and recommendations which you might wish to make will be considered by the Security Advisory Board.

2. The first draft of this regulation was reviewed by the Library of Congress, the National Archives, the Publication Board, Joint Security Control, the Bureau of the Budget, the Cryptographic Security Coordinating Committee, and certain interested offices in the State, War, and Navy Departments. Suggestions made by these agencies have been incorporated in the second draft wherever practicable. The regulation is now being forwarded to the Security Officers of nonmilitary agencies for comment before being issued as a Security Advisory Board policy.

3. You will note that a deadline of January 20, 1946, has been set for the return of comments from the Security Officers. It will be appreciated if any comments which you might have could be returned by that time.

4. MI-3 and Serial No. 196, also enclosed, are information copies only.

For the Security Advisory Board:

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Serial No. 198

STATE-WAR-NAVY COORDINATING COMMITTEE

SECURITY ADVISORY BOARD

December 23, 1946

MEMORANDUM FOR Security Officers
 Nonmilitary Federal Departments and Agencies

Subject: Classification, Declassification, and
 Downgrading Procedures


1. The enclosure, a draft of a proposed declassification and downgrading procedure for nonmilitary federal departments and agencies, is submitted to Security Officers for their comments and suggestions before being issued as a policy by the Security Advisory Board.

2. It is requested that you review the enclosure and report any suggestions or comments which you may have to the Security Advisory Board, State-War-Navy Coordinating Committee, Room 711, 515 22nd Street, N.W., Washington 25, D.C., on or before January 20, 1946.

3. This proposed regulation has been previously reviewed by certain interested agencies from a policy standpoint, and their comments have been incorporated in the draft where practicable.

For the Security Advisory Board:

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Secretary

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COPY NO. _____

Date _____

Pages 1-27

STATE-WAR-NAVY COORDINATING COMMITTEE

SECURITY ADVISORY BOARD

CLASSIFICATION, DECLASSIFICATION, AND DOWNGRADING PROCEDURES

Note by the Secretary

1. The Security Advisory Board has been engaged in a careful study of the overall problem of downgrading and declassification of classified official material. After consideration of the problem as it is presented in numerous agencies, the Board has reached the conclusion that eventual downgrading and declassification cannot be accomplished except by hard work and attention to detail, if compromise of classified information is to be prevented. Although SAB _____ does not set forth any new and startling procedure for downgrading and declassification, it does bring together under one cover all appropriate downgrading and declassification guides and offers a ready reference for Security Officers of federal departments and agencies.

2. In carrying out the provisions of this paper, two important tasks become the responsibility of the Security Officers;

- a. All personnel should be familiar with the current classification guides contained on Pages 8-15 of this paper. In addition, all personnel who will be


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working on declassification and downgrading should be familiar with the requirements on Pages 16-27, inclusive. The proper indoctrination of such personnel should be accomplished by, or under the guidance of, the Security Officer.

b. If the problem of downgrading and declassification is a simple one, it can probably be handled by a Security Officer alone. If there is any bulk of material, a Downgrading and Declassification Committee might be given full authority to downgrade and declassify all material originated by the agency or department, when it has been determined that the material no longer deserves its original classification. The Security Officer should supervise the establishment of such a Committee and where possible, serve on the Committee.

3. The services of the Secretariat of the Security Advisory Board are available to any government agency that wishes to set up such a mechanism, and the advice of the Board may be solicited whenever desired on declassification and downgrading problems.

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Secretary

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SECTION I. DEFINITIONS

1. DOCUMENTS

Any form of recorded information. The term "document" includes printed, mimeographed, typed, photostated, and written matter of all kinds; dispatches, instructions, telegrams, memoranda, reports, minutes, airgrams, charts, maps, drawings, notes, or photostatic copies; photographs and photographic negatives; and all other similar material.

2. REGISTERED DOCUMENTS

A Top Secret, Secret, or Confidential document, or a Restricted cryptographic document or device, carrying a register number, a short title, and instructions to account for it periodically.

3. CLASSIFY

To grade a document or device as Top Secret, Secret, Confidential, or Restricted in order to indicate the degree of precaution necessary for its safeguarding.

4. DECLASSIFY

To cancel the classification of any document or device by proper authority when the necessity for maintaining the classification no longer exists.

5. DOWNGRADE

To lower the classification of classified documents or devices.

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6. UPGRADE

To raise the classification of classified documents or devices from one classification to a higher classification, when it has been determined by proper authority that the assigned classification is not sufficiently protective.

7. REGRADE

To change the classification of classified documents or devices, including both downgrading and upgrading.

8. OVERCLASSIFY

To grade documents or devices with a higher classification than is consistent with the proper safeguarding of the information contained therein.

9. PRIMARY INTEREST

a. An office which has "primary interest" in information is the office best qualified to determine its value, both when considering its original security classification and in downgrading it as conditions change.

b. "Primary interest" in any classified document or device will be considered to be held in that office which:

- (1) Originally classified the information;
- (2) Currently is charged with the information, or has primary control or jurisdiction over types of information similar thereto;

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- (3) Has succeeded or absorbed an office formerly charged with primary control or jurisdiction over the information.

10. CUSTODIAN

An individual to whom a document or device is consigned or who inherits official possession of a document or device by succession to or absorption of the position of an individual formerly charged with the custody of such documents or devices.

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SECTION II. CURRENT CLASSIFICATION GUIDES

1. A WORD ON CURRENT CLASSIFICATION

During wartime the anxiety of many government officials to protect classified information from an actual or potential enemy often led to careless classification. The belief that "it is better to grade a document too high and be safe than to grade it too low and risk not having it high enough" was the criterion which guided many a hand on the classification stamp. Too often this axiom was made an excuse for unfamiliarity with classification definitions or failure to read security regulations.

Today many harassed government officials, struggling to wrench classifications from documents which should rightfully be made available to the public or go from bulging files to proper depositories, feel the effects of the careless classification which took place during wartime. It should be the concern of every government official responsible for classification to make sure that documents and devices are properly classified. The protection of classified information is still the primary concern, but the sad experiences of many government agencies with declassification problems makes correct classification of vital administrative concern.

REMEMBER: A CARELESS CLASSIFICATION TODAY MEANS AN ADMINISTRATIVE HEADACHE TOMORROW!

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2. AUTHORITY TO CLASSIFY

a. TOP SECRET OR SECRET

Matters may be classified as Top Secret or Secret only by the head of a federal agency or department or by his officially designated representative.

b. CONFIDENTIAL OR RESTRICTED

Matters may be classified as Confidential or Restricted by the Chief or Head of a Bureau, Division, Branch or comparable unit, by officials whose positions may be considered to be on equal level, or by their officially designated representatives.

c. PROCEDURE WITHIN DEPARTMENTS AND AGENCIES

If designation of officials who may classify matters in any of the four categories above has not been made in government agencies or departments, such designation should be immediately undertaken and an announcement of this authority made within the department or agency. Where such a list is already in use, it shall be the responsibility of the Security Officer to insure that this list and any future lists are current and workable within his department.

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3. THE MENTAL APPROACH TO CLASSIFICATION

The importance of the use of mature judgment on the part of classifying officials cannot be stressed too highly. When an official classifies a document, he will, in most cases, have only his own judgment and the definitions set forth in security regulations on which he can depend as guides.

Before any classification is stamped or marked on a document, the classifying official should ask himself:

DOES THIS DOCUMENT CONTAIN INFORMATION WHICH
WILL ENDANGER THE NATION IF REVEALED TO UN-
AUTHORIZED PERSONS? IF SO, TO WHAT EXTENT?

The attitude of the classifying official should not be: Classify it high and safe.

Similarly, classifications should not be placed on documents with any idea of expediting their handling or for any personal reason whatsoever. Documents so classified depreciate the importance of classified information in the minds of handling personnel.

It should be the responsibility of all officials charged with classification to familiarize themselves with the following definitions of Top Secret, Secret, Confidential, and Restricted information and to apply such definitions correctly:

TOP SECRET information is information, the security aspect of which is paramount, and the unauthorized disclosure of which would cause exceptionally grave damage to the nation.

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SECRET information is information, the unauthorized disclosure of which would endanger national security, or cause serious injury to the interests or prestige of the nation or any governmental activity thereof.

CONFIDENTIAL information is information the unauthorized disclosure of which, although not endangering the national security, would be prejudicial to the interests or prestige of the nation, any governmental activity thereof, an individual, or would cause administrative embarrassment or difficulty.

RESTRICTED information is information which should not be published or communicated to anyone except for official purposes.

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that of the highest graded document therein. Documents separated from the file or group revert to their individual classifications.

Whenever classified information and unclassified information is issued together, the information should be so prepared that the classified can be separated from the unclassified and each part handled appropriately. Classified documents, such as reports, tabulations, magazines, or other bound material being prepared for distribution will have the individual items, columns, pages appropriately classified, or marked as being unclassified, whenever possible, in order that extracts may be made from documents without the necessity of assigning to them the same security classification as the document. REGARDLESS OF THE FACT THAT PAGES, PARAGRAPHS, SECTIONS, OR COMPONENTS OF THE DOCUMENT MAY BEAR DIFFERENT CLASSIFICATIONS, THE DOCUMENT ITSELF WILL BEAR ONLY ONE OVERALL CLASSIFICATION, WHICH SHOULD BE EQUAL TO OR HIGHER THAN THE CLASSIFICATION OF ANY PART THEREOF.

c. TRANSMITTAL

A letter of transmittal shall be given the highest classification carried by any of its enclosures, unless the letter of transmittal contains information warranting a higher classification.

A CLASSIFIED LETTER OF TRANSMITTAL WHICH DOES NOT IN ITSELF REVEAL ANY CLASSIFIED INFORMATION MAY BE DECLASSIFIED WHEN THE ENCLOSURES ARE REMOVED. Such letters of transmittal should always bear a notation that they may be declassified when the enclosures

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are removed. Such notation may be a part of the body of the transmittal letter or it may be typed or stamped on the letter itself. A suitable stamp for this purpose would read:

TO BE DECLASSIFIED WHEN ATTACHMENT IS REMOVED

TO BE DECLASSIFIED WHEN ATTACHMENT IS REMOVED

d. OVERCLASSIFICATION

Overclassification will be avoided. It causes unnecessary delay in the transmission of documents and depreciates the importance of classified information in the minds of handling personnel.

Cases of flagrant overclassification will be reported by any official to the Security Officer of the department or agency. If the document originated in his own department or agency, the Security Officer will discuss the matter directly with the office of the originator. If the document was received from other sources, cases of overclassification will be reported to the Security Advisory Board for appropriate reference.

e. UPGRADING

If the recipient or custodian of classified matter believes the assigned classification is not sufficiently protective, he shall safeguard the matter in accordance with the classification he deems appropriate and shall refer the question to the originator. Unclassified material received from any source which
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is judged to be deserving of classification by the recipient shall be similarly treated.

When matter is upgraded, the originator shall notify all custodians and addressees.

f. REVIEW OF SECURITY CLASSIFICATIONS

The Security Officer of the department or agency will review, from time to time, the use of all security classifications throughout his agency or department.

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SECTION III. DOWNGRADING AND DECLASSIFICATION GUIDES

1. A WORD ON DOWNGRADING AND DECLASSIFICATION

Whether downgrading or declassification is undertaken by an individual, a group of interested workers, or a Board or Committee to which classified documents could be funnelled, there are a few inescapable facts to be faced.

1. Downgrading and declassification will require a great deal of work and continued diligence before it can be effective.
2. Downgrading and declassification cannot be undertaken unless personnel doing the work are thoroughly familiar with downgrading and declassification procedures.
3. Downgrading and declassification cannot at any time be considered more important than the maintenance of security. The first consideration for any official authorizing the downgrading or declassification of a document should be, "Does the information in this document still deserve the classification which it holds?"

The first steps of setting up a downgrading and declassification mechanism are the most difficult, of course. Once such initial steps have been taken and the actual mechanism has been created, there is no reason why the procedure should not be a routine matter. It is urged that Security Officers in federal departments and agencies make every effort to establish such a mechanism as soon as possible.

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2. AUTHORITY TO DOWNGRADE AND DECLASSIFY

a. GENERAL

It is the responsibility and obligation of all government officials to keep classified matter of current interest of continuing value constantly under review and to downgrade or declassify it as soon as conditions permit.

b. AUTHORITY

The official making the original classification, or higher authority in the same agency or department, may cancel or change the classification of a document.

In any case, when the originator of the document cannot be determined or is unavailable, the office having primary interest in the document, as defined in Section 1, paragraph 9, may downgrade or declassify it when appropriate.

Authority to downgrade or declassify documents originating in an agency may be delegated to a Downgrading and Declassification Board or Committee by the head of the agency or department.

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3. COORDINATION AND RESPONSIBILITY

a. DOCUMENTS AFFECTING ONLY OFFICE OF ORIGIN

Documents which affect only the office of origin or documents which contain information of primary interest to one office only will be downgraded or declassified by that office or higher authority within the agency without further reference.

b. DOCUMENTS AFFECTING INTERESTS OF TWO OR MORE OFFICES OR AGENCIES

If a classified document contains information affecting the interests of two or more offices or agencies, the one desiring to downgrade or declassify the document will consult the others and attempt to reach an agreement. Normally, the office which has the primary interest in the document as a whole will assume the responsibility for coordination with all other agencies whose interests are affected by portions thereof and will downgrade the document to the classification agreed upon.

c. DOCUMENTS AFFECTING INTERESTS OF FOREIGN NATIONS

If a classified document was classified solely to accord with conditions imposed by a foreign nation, it may be downgraded or declassified with the consent of the nation concerned or by the approval of the Department of State.

If a document was originally classified or prepared in conjunction with a foreign nation, it may be downgraded or declassified only when the consent of that nation has been secured.

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d. DOCUMENTS AFFECTING THE INTERESTS OF THE MILITARY SERVICES

If a classified document contains information affecting the interests of the Army or Navy, appropriate authorities in the War or Navy Departments shall be consulted before the documents are downgraded or declassified.

e. DOCUMENTS CONTAINING SCIENTIFIC AND TECHNICAL DATA

Executive Orders of the President Nos. 9568 and 9604, dated 8 June 1945 and 25 August 1945, respectively, require that all scientific and technical information, prepared by or for the U. S. Government, financed with Government funds, or obtained from the enemy, which is of any possible value or aid to business, industry or science shall be reviewed and declassified if there is no objection on the grounds of military security, and a copy of the declassified document forwarded to the Publication Board of the Department of Commerce. In the event of certain doubtful cases in which the government agency concerned may not be able to determine the extent of military interest in a document of this category, the item in question may be forwarded to the Publication Board, Department of Commerce, who will take it up with the appropriate military services and obtain their concurrence before declassification and release.

For full information regarding procedures on classified documents containing scientific and technical data, see SAB No. 2, dated 28 May 1946.

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f. NON-CONCURRENCES

In the event no agreement can be reached by two offices within the same agency regarding the proper classification of a document the problem will be referred for decision to the lowest superior common to the disagreeing offices.

In the event no agreement can be reached as to the proper classification of a document, the document must maintain the disputed classification until eventual agreement can be worked out. The Security Advisory Board may be consulted for advice in any such instances of disagreement.

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4. MARKING PROCEDURES

a. GENERAL

In every case after a downgrading or declassification authority has agreed that a classification of a document or device can be cancelled or changed, he should write or stamp over the mark at the top of the first page, "Classification cancelled or changed to _____, by authority of (Official authorized to change), date, by (name and position person making the change.)"

EXAMPLES:

CLASSIFICATION CHANGED

TO _____ BY AUTHORITY

OF _____ DATE _____

BY _____

CLASSIFICATION CANCELLED

BY AUTHORITY OF _____

DATE _____

CLASSIFICATION CHANGED
TO _____
BY AUTHORITY OF _____
DATE _____
BY _____

CLASSIFICATION CANCELED
BY AUTHORITY OF _____
DATE _____
BY _____

b. LETTERS AND REPORTS

Downgraded or declassified letters and reports, not permanently and securely fastened together, will be marked or stamped with the new classification at the top and bottom of each page and the old marking lined through. If the classification is cancelled,

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the markings on each page will be lined through.

c. BOOKS AND PAMPHLETS

Books or pamphlets being downgraded or declassified which are permanently and securely fastened together will be marked or stamped with the new appropriate classification on the cover, title page, first page, back page and back cover.

d. BULK FILES OR SUPPLIES

When a document has been downgraded or declassified, bulk files or supplies thereof need not be marked as provided herein until copies are charged out for use. The change or cancellation of security classification will be indicated inside the file drawer or other storage container.

Declassified documents will not be forwarded to the Library of Congress, the National Archives or other depositories until they have been marked as declassified. Where an arrangement has been made between an agency and the Library of Congress that declassification markings on bulk shipments will be accomplished by the Library of Congress, declassified documents may be transferred before declassification markings have been accomplished, provided one record copy is properly marked and maintained in the files of the agency and one copy, properly marked, accompanies the shipment to the Library, together with a written proviso that no further distribution of the document will be made until declassification markings have been

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accomplished by the Library of Congress.

The National Archives will, of course, continue to accept classified records, when the agency or department has not been able to accomplish declassification of such documents. These classified records will be maintained in the National Archives in their classified status until notification is made to the Archives that declassification has been accomplished.

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5. DOWNGRADING AND DECLASSIFICATION NOTIFICATIONS

a. GENERAL

The office which originally downgrades or declassifies a document will, when practicable, notify all recipients or holders of copies thereof. All holders will, upon such notification, mark a downgraded or declassified document in their possession as prescribed in Section III, Part 4.

b. RESPONSIBILITY FOR NOTIFICATION

If the document is not widely held, it shall be the responsibility of the Downgrading or Declassification Authority to notify all recipients or holders of copies.

If the document is widely held in government agencies, a request may be forwarded to the Security Advisory Board for announcement of the action taken to all Security Officers of agencies concerned. Such a request will be accompanied by a list of known agencies holding the document.

c. TYPE OF NOTIFICATIONS

All notices of downgrading or declassification will specifically identify and describe the document or information, its office of origin, former classification, new classification, if any, authority for downgrading and date thereof.

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6. DISPOSITION

a. RECORD COPIES

Section I of the Disposal Act of 1943 (57 Stat. 380) defines what constitutes records of the Federal Government. Care must be exercised at all times to insure that record copies of declassified documents are maintained in the files of the agency concerned. When such records are no longer needed for the conduct of the current business of the agency, they should be transferred to the National Archives or proposed for other disposition as provided by law.

Whenever practicable, classified records or documents should be declassified prior to their transfer to the National Archives.

b. EXCESS COPIES OF DECLASSIFIED BOOKS OR PAMPHLETS

The law (44 USC 139) provides that 150 copies of all government publications including maps (but excepting classified matter, blank forms, and circular letters) shall be furnished to the Library of Congress when such copies are excess to agency needs and do not constitute record copies. When a document has been declassified and excess copies are available, arrangements should be made to transfer 150 copies of the stock to the Exchange and Gift Division, Library of Congress. The Library of Congress, in cooperation with the Superintendent of Documents, will arrange for their proper distribution.

The Library of Congress will also accept copies of classified books or pamphlets if they are excess to the needs of the agency

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for current use and if they are not record copies. They will be maintained in their classified status within the Library of Congress under proper security protection until notification is made to the Library of Congress that the publications have been declassified. No transmittal of classified material will be made to the Library of Congress except by accepted means of transmittal of classified documents.

c. DESTRUCTION

Declassified documents may be destroyed by the custodian thereof when it has been determined that:

- (1) The documents are not record copies;
- (2) The documents are excess to the number required for the Library of Congress or for current agency needs;
- (3) A copy has been submitted to the Publication Board, Department of Commerce, whenever appropriate.

Classified documents, exclusive of those that fall into 6c (1) and (2) above, may be destroyed by the custodian thereof without reference to declassification authority.

Classified or declassified records or record copies of documents may be destroyed only when proper authorization for their destruction has been obtained.

Top Secret, Secret, or Confidential documents and registered documents, which are to be destroyed, will be burned by the custodian thereof or by his authorized representative in the

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presence of a disinterested official. A certificate of destruction will be signed by both the custodian and the witnessing official in the case of Top Secret or Secret documents or any Registered document. and submitted to the authority directing the destruction when appropriate. Restricted documents may be destroyed in any manner which will render them useless.

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